UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/1174
16 October 1994

ORIGINAL: ENGLISH

LETTER DATED 14 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF GHANA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I transmit herewith the text of the Akosombo agreement made and entered into on 12 September 1994, between the three warring factions in Liberia, namely the National Patriotic Front of Liberia (NPFL) represented by and through its leader Mr. Charles G. Taylor; the United Liberation Movement of Liberia for Democracy (ULIMO), represented by and through its leader, Lt.-Gen. Alhaji G. V. Kromah; and the Armed Forces of Liberia (AFL), represented by and through its Chief of Staff, Lt.-Gen. J. Hezekiah Bowen, at Akosombo, Ghana.

It would be appreciated if you could circulate this agreement as a document of the Security Council.

(Signed) George O. LAMPTEY
Permanent Representative

Annex

Akosombo agreement

This Agreement, which supplements and amends the Cotonou Agreement, is made and entered into on this 12th day of September 1994 by and between the National Patriotic Front of Liberia (NPFL), represented by and through its leader Charles G. Taylor (hereinafter referred to as "the party of the first part"), the United Liberation Movement of Liberia for Democracy (ULIMO), represented by and through its leader Lt. Gen. Alhaji G. V. Kromah (hereinafter referred to as "the party of the second part"), and the Armed Forces of Liberia represented by and through its Chief of Staff Lt.-Gen. J. Hezekiah Bowen (hereinafter referred to as "the party of the third part"), hereby:

WITNESSETH:

PREAMBLE

NPFL, ULIMO and AFL reaffirm their acceptance of the Cotonou agreement as the framework for peace in Liberia. However, having realized the slow pace in the full implementation of the Cotonou agreement, resulting from the failure of disarmament and the inability of the Liberia National Transitional Government (LNTG) to achieve the objective of its mandate within a six-month period as set forth under section B, article 14 (2), of the said Cotonou agreement: and

Having noted with grave concern the protracted human suffering and the undue hardships to which the people of Liberia (inside and outside the country) have been overly subjected as a result of the senseless Liberian civil crisis: and

Having realized the urgent need to bring this ugly civil crisis to an immediate and lasting end:

Do hereby agree to the following:

Part I

MILITARY ISSUES

Declaration

SECTION A

Article 1

Count 1 is amended to read as follows:

The parties to this agreement hereby agree and declare a cease-fire and the cessation of hostilities effective as of the signing of this amendment.

SECTION B

Article 3

SUPERVISORY AND MONITORING AUTHORITY

Count 1 is amended to read: That the Liberia National Transitional Government, the Economic Community of West African States Military Observer Group (ECOMOG) and the United Nations Observer Mission in Liberia (UNOMIL) in collaboration shall supervise and monitor the implementation of this Agreement.

The parties hereby expressly recognize the neutrality and authority of ECOMOG and UNOMIL in respect of the foregoing.

Accordingly, the Liberia National Transitional Government shall ensure that ECOMOG and UNOMIL shall enjoy complete freedom of movement throughout Liberia.

SECTION C

Article 4

TERMS AND CONDITIONS

Count 4 is amended to read: The Liberia National Transitional Government, in collaboration with ECOMOG and UNOMIL, shall ensure that all points of entry, including sea ports, airfields and roads, shall be monitored and supervised.

Count 5 is amended to read: The warring parties shall undertake to disengage and move to designated assembly points within the time-frame in the schedule to be attached to this document.

Count 6: That the Liberia National Transitional Government shall enter into a status-of-forces agreement with ECOWAS within 30 days from the signing of this Agreement.

Count 7: That the existing status-of-mission agreement already executed with the United Nations (UNOMIL) is herein incorporated by reference and is applicable.

SECTION D

Article 5

ACTS OF VIOLATION

Count 2 is amended to read: The following acts shall constitute violations of the Agreement:

Subsection (b): Any change or improvement of existing positions aimed at acquiring territory.

Subsection (c): Any deliberate discharge (whether with conventional or unconventional weapons) against the position of any warring party by another, or firing at any individual or property or any seizure or abduction of individuals and properties.

Subsection (f): While the right to communication shall not be abridged, any proven use of communication devices, facilities or propaganda designed to incite or having the effect of inciting hostilities between any of the warring parties.

Subsection (h): Obstruction of the implementation of any of the provisions of the Agreement by any party and/or individual.

Subsection (i): Harassments, intimidations, or attacks upon any official of the Liberia National Transitional Government, relief organizations, ECOMOG, UNOMIL, the Cease-fire Violations Committee as well as individuals.

Subsection (j): Obstruction of the activities of the Liberia National Transitional Government, ECOMOG, UNOMIL and the Cease-fire Violations Committee.

Subsection (k): The facilitation or creation of new or splinter armed groups. To this end, any individual or group of individuals suspected of creating or assisting to create any new armed or splinter group or facilitating existing splinter group(s) (directly or indirectly) shall:

1. Not be recognized under the Cotonou Agreement.

2. Shall be disarmed and disbanded by ECOMOG in collaboration with the Liberia National Transitional Government verified by UNOMIL.

3. Thereafter be prosecuted under the laws of Liberia.

SECTION E

Article 6

DISARMAMENT

The introductory paragraph is hereby amended to read: the ultimate objective of disarmament under the Cotonou Agreement being primarily to create a security environment conducive to absolute peace in order to have free and fair elections in the country, NPFL, ULIMO and AFL hereby agree to disarm to ECOMOG with the cooperation of the Liberia National Transitional Government and monitored and verified by UNOMIL in accordance with the schedule to be attached to this Agreement. The parties further mandate the Liberia National Transitional Government to begin the formation of appropriate national security structures to facilitate the disarmament process. Accordingly, appropriate measures shall be undertaken to enable AFL to assume its character as a national army. Until such measures are completed, AFL, like all other parties and warring groups, shall be completely disarmed in accordance with the Cotonou Agreement. In order to ensure a secure environment for the proper functioning of the unified Government in Monrovia, the Liberia National Transitional Government, in collaboration with ECOMOG, shall ensure that no group or individuals bear arms in the perimeter of the capital. However, the personal security of the leaders of the warring parties shall be reflected in the status-of-forces agreement.

Count 4 is amended to read: Each of the warring parties shall ensure that its combatants report all weapons and warlike materials to ECOMOG, which would be inventoried by ECOMOG, monitored and verified by the Liberia National Transitional Government and UNOMIL. Upon proper inventory, such weapons and warlike materials shall be taken by ECOMOG to the designated armouries, monitored and verified by UNOMIL and the Liberia National Transitional Government.

Count 5 is amended to read: All non-combatants who are in possession of weapons and warlike materials shall also report and surrender same to ECOMOG, monitored and verified by the Liberia National Transitional Government and UNOMIL. Such weapons and warlike materials shall be returned to the owners after due registration, licensing and certification by the governing authority after elections.

Count 7 is amended to read: For the sole purpose of maintaining the cease-fire, ECOMOG shall conduct any search to recover lost or hidden weapons, observed and monitored by UNOMIL and the Liberia National Transitional Government.

SECTION F

Article 7

ENCAMPMENT

Count 1 is amended to read: The parties agree and fully commit themselves to the encampment of their combatants, and maintenance of command and control in encampment centres, established by ECOMOG, UNOMIL and the Liberia National Transitional Government in collaboration with the parties. The encampment centres shall, in addition to disarmament and demobilization, serve as transit points for the further education, training and rehabilitation of said combatants.

SECTION G

Article 8

PEACE ENFORCEMENT POWERS

The following amendments are hereby made, to wit:

1. That in the event any party, new armed group or splinter group and/or individuals refuse to desist from acts in violation of the Agreement, the Liberia National Transitional Government, in collaboration with ECCMOG, shall have the power to use the necessary force available to compel compliance.

2. All violations of the cease-fire shall be reported to UNOMIL, which shall, on immediate receipt of the information or violation, commence an investigation and make findings thereof. In the event the violation can be cured by the party, UNOMIL shall pursue such a course. However, should such a course not be possible, UNOMIL shall submit its findings to the Cease-fire Violations Committee. The Violations Committee shall invite the violating party(ies) for the purpose of having such party(ies) take corrective measures to cure violations within such time-frame as may be stipulated by the Committee. Should the violating party not take the required corrective measures, and the use of peace enforcement powers are recommended against the violator, the Liberia National Transitional Government, in collaboration with ECOMOG, shall thereupon take the necessary action.

SECTION H

Article 9

DEMOBILIZATION

Count 2 is amended to read: Further, the parties hereby call upon the Liberia National Transitional Government, the United Nations, the Organization of African Unity, ECOWAS and other international organizations and countries, to design a programme which recognizes the peculiarities of the parties and finance

the process of demobilization, retraining, rehabilitation and reintegration of all former combatants to normal social and community life.

Count 3 is amended to read: It is agreed that the Liberia National Transitional Government, in collaboration with the parties, shall immediately commence a community information or educational programme, explaining to the public by means of communication devices or any form of media, the essence and purpose of cease-fire, encampment, disarmament and demobilization. Such programme shall include other social institutions.

Count 4: Internal security arrangements, including police, customs and immigration, will be put in place immediately. Planning for restructuring and training of AFL will be the responsibility of the Liberia National Transitional Government, with the assistance of ECOWAS, the United Nations and friendly Governments.

SECTION K

Article 12

SCHEDULE OF IMPLEMENTATION

This article is amended to read: The attached schedule of implementation to be attached to this Agreement, including disarmament, encampment and demobilization of combatants, preparation of a status-of-forces agreement, restructuring of AFL and dissolution of the parties drawn up by ECOMOG and UNOMIL in collaboration with the Parties, shall be given to each of the Parties prior to implementation. The Parties undertake that they will create no obstacles to the full implementation of any of the foregoing activities.

Part II

Political issues

SECTION A

Section B, article 14 (7), is hereby amended to read thus:

EXECUTIVE

(i) The Parties further agree that, during the transitional period leading up to inauguration of an elected Government, the executive powers of the Republic shall be vested in a five-member Council of State which is hereby established. Each of the Parties (AFL, NPFL and ULIMO) shall point one member to the Council and the remaining two, representing unarmed Liberians, shall be chosen from among prominent Liberians, one appointed by the Liberian National Conference recently

convened in Monrovia and the other by NPFL and ULIMO. The designation of Chairman and two Vice-Chairmen shall be determined through a process of elections to be carried out within seven days of the signing of this Agreement. The new Council of State will be inducted under the auspices of the Chairman of ECOWAS or his representative within 14 days of the signing of this Agreement.

(ii) The Council of State shall conduct and be responsible for the day-to-day operations of government. All decisions shall be made on the basis of a simple majority.

(iii) The Council shall also devise and implement appropriate rules of procedure in respect of its operations, to be signed by all members on the occasion of their induction into office.

(iv) The Parties hereby agree that the allocation of ministries, public corporations and autonomous agencies as agreed by the Parties in Cotonou, Benin, on 3 to 5 November 1993 shall be maintained, taking into account existing factions in respect of existing vacancies. All boards of public corporations shall be constituted in accordance with the acts creating said corporations.

(v) In the case where the executive post is allocated to one party, the two deputy posts shall be allocated to the two other parties. In the case where there are more than two deputy posts in a given ministry, public corporation or autonomous agency, the Council of State shall point qualified Liberian citizens to occupy the third and/or remaining deputy posts.

(vi) The Council of State shall also exercise its executive prerogative powers to appoint qualified citizens in all other subordinate presidential appointed posts in government as may be provided by law in consultation with the parties.

(vii) Each of the parties shall have the right to review the status of its appointees in the Liberia National Transitional Government through the Council of State and any change in appointment by the Council of State should follow as closely as possible the constitutional procedures. Once appointments have been made to the Council of State changes can be effected only for cause and then consistent with existing laws.

Legislature

SECTION B

Article 14

Count (9) is amended to read:

(i) That the Parties agree that the Transitional Legislative Assembly shall be a unicameral body composed of 48 members. The Transitional

Legislative Assembly is expanded by 13 eminent citizens selected through the Ministry of Internal Affairs from each of the 13 counties, and appointed by the Council of State.

(ii) The Parties further agree that the Transitional Legislative Assembly shall give consideration to providing appropriate benefits for the heads of warring parties.

Article 16 is hereby amended to read:

(2) Is hereby amended to read: That the transitional Government shall have a life-span of approximately 16 months commencing from the date of installation of the five-member Council of State.

(3) Is hereby amended to read: That general and presidential elections shall take place on 10 October 1995, and the newly elected Government shall be installed on the first Monday of 1996.

SECTION H

Article 20

The Parties agree that all provisions of the Cotonou Agreement not amended here are herein incorporated by reference and the same are hereby applicable and remain in full force and effect except for the below listed provisions:

(1) Part I, section A, art. 2

(2) Part I, section B, art. 3, count 3

(3) Section D, article 5 (d)

(4) Part II, section A, article 13

(5) Part 2, section B, articles 14, 4, 6, 7 (i), (ii), (iii), (iv)

DONE AT AKOSOMBO, REPUBLIC OF GHANA,
THIS 12TH DAY OF SEPTEMBER 1994

(Signed) Charles G. TAYLOR
Leader
National Patriotic Front of Liberia (NPFL)

(Signed) Lt.-Gen. Alhaji G. V. KROMAH
National Chairman
United Liberation Movement of Liberia for Democracy (ULIMO)

(Signed) Lt.-Gen. J. Hezekiah BOWEN
Chief of Staff
Armed Forces of Liberia (AFL)

WITNESSED BY

(Signed) For H.E. Flt. Lt. J. J. RAWLINGS
President of the Republic of Ghana and Current Chairman of ECOWAS

(Signed) Trevor GORDON-SOMERS
Special Representative of the United Nations Secretary-General in Liberia

---